IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
Family Court Appeal No.56 of 2005

Ms.Sangeeta Devendra Oza. .. Appellant
v/s.
Mr.Devendra Madan Oza. .. Respondent

Mr.Hitesh Vyas for appellant.
Mr.Madhav Jamdar for respondent.

CORAM : H.L. GOKHALE &
SMT.R.S.DALVI, JJ.

DATED : 6th October 2005

P.C. :

1. Heard Mr.Vyas in support of this Appeal. Mr.Jamdar appears for the respondent.

2. The father of the appellant, who is having her Power of Attorney, as well as her mother are present in Court so also the respondent. On the last date of hearing, certain Consent Terms were agreed between the parties and the appellant has confirmed the terms by sending E-mail. A copy of this E-mail is taken on record.

3. In view of the understanding arrived at between the parties, there will be a judgment and decree of this Court in terms of the Consent Terms signed by parties on 27.9.2005. These Consent Terms are taken on record and marked ‘X’ for

identification. The marriage solemnized between the appellant and the respondent will stand dissolved under Section 13B of the Hindu Marriage Act, 1955. The statutory period thereunder is waived. The respondent is expected to pay an amount of Rs.Three Lakhs under these Consent Terms by four equal monthly installments. The first installment will be paid by end of this month and the remaining three by end of November 2005, December 2005 and January 2006. Neither of the parties will re-marry until these payments are made and the decree will become operational only thereafter.

4. In the event the respondent commits any default, the Appeal will stand admitted and the decree granted by the trial Court will remain stayed.

5. Mr.Vyas appearing for the appellant requests that the payments be made in the maidan name of the appellant i.e. Sangeeta K. Joshi by account payee Demand Draft. That will be so done. The appellant will give a receipt of receiving the Demand Draft.

6. Appeal stands disposed of in these terms.

(H.L. GOKHALE, J.)

(SMT. R.S.DALVI, J.)